

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA	§	
	§	No. 1:13-CR-78
v.	§	(Hon. Judge Thad Heartfield)
	§	
TYJUAN TOWNSEND	§	

ELEMENTS OF THE OFFENSE

You are charged in Count One of the indictment with violating 18 U.S.C. § 1791(a)(2), Inmate in Possession of a Prohibited Object. The essential elements which must be proven beyond a reasonable doubt to establish a violation of this offense are as follows:

- First: That you were, at the time and place stated in the indictment, an inmate of a Federal prison or correctional facility, as alleged in the indictment;
- Second: That at such time you knowingly possessed the object described in the indictment, as charged; and,
- Third: That such object was a prohibited object, that is, a weapon or an object that was designed or intended to be used as a weapon.

Respectfully submitted,

JOHN M. BALES
UNITED STATES ATTORNEY

/s/ Randall L. Fluke
Randall L. Fluke
Assistant United States Attorney
350 Magnolia, Suite 150

Beaumont, Texas 77701
(409) 839-2538
(409) 839-2550 fax
Texas Bar No.: 24048912

CERTIFICATE OF SERVICE

I hereby certify that a copy of these Elements of the Offense was delivered to counsel for the defendant, on the date of the electronic filing of this instrument via electronic transmission pursuant to the electronic filing system of the court.

/s/ Randall L. Fluke
Randall L. Fluke
Assistant United States Attorney